

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Christian Fleischhacker, et al.)
)
)
Application No.:	10/697,418) Art Unit
) 2816
)
Filed:	October 30, 2003)
)
For:	METHOD AND APPARATUS FOR)
	ADJUSTING AN ACTIVE FILTER)
)
Examiner:	Minh T. Nguyen)

PETITION TO REVIVE AND RE-SUBMIT ISSUE FEE

Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.137(b), and in response to the Notice of Abandonment dated January 27, 2006, Applicants petition to revive the abandoned application on the grounds of unintentional delay in payment of the Issue Fee. In support of the petition, Applicants submit Exhibit A clearly showing “Part B-Fee(s) Transmittal” was filed September 29, 2005. The transmittal authorized the payment of the Issue Fee from deposit account no. 08-2665, which was approximately two and one-half months prior to the due date of December 13, 2005. Applicants received a Notice of Abandonment which was issued on January 27, 2006. In response, a Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181(a) was filed on February 10, 2006. Applicants’ attorney has recently been informed by PTO personnel that the

application was abandoned because the attorney's deposit account was insufficient on the day payment of the issue fee was applied to the deposit account. The insufficiency was unintentional.

We authorize a charge to Deposit Account No. 08-2665 for the petition processing fee of \$1,500.00, pursuant to 37 C.F.R. § 1.17(m). In addition, Part B-Fee(s) Transmittal is being re-submitted herewith.

Accordingly, Applicants respectfully request that the application be revived and the re-submission of the Issue Fee be accepted.

DATED this 14th day of June, 2006.

Respectfully submitted,



David O. Seeley, Reg. No. 30,148
Customer No. 34013
Holme Roberts & Owen LLP
299 South Main Street, Suite 1800
Salt Lake City, Utah 84111
(801) 521-5800

EXHIBIT 1



EV 701537259 US

**EXPRESS
MAIL**

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code <i>84147</i>	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ <i>13.65</i>
Date Accepted <i>9-29-05</i>	Scheduled Date of Delivery Month Day <i>9 30 05</i>	Return Receipt Fee \$
Mo. Day Year <i>Mo. Day Year</i>	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Time Accepted <i>8:47X</i>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$
Flat Rate <input type="checkbox"/> Weight <i>3</i> lbs <i>0.00</i> ozs.	Int'l Alpha Country Code <i>US</i>	Accepted By Initials <i>RS</i>

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>SC</i>
Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>SC</i>
Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>SC</i>



NOTE LINE

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

801 521 5800

PHONE ()

HOLME ROBERTS & OWEN
299 S MAIN ST STE 1800
SALT LAKE CITY UT 84111-2219
USA

48924-1050 D Seeley

TO: (PLEASE PRINT)

PHONE ()

COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA
USA

VA 22313-1450

Mail Stop: Issue Fee

FOR PICKUP OR TRACKING: Visit WWW.USPS.COM or Call 1-800-222-1811



Attorney: David O. Seeley Date: September *29*, 2005
PTO Stamp indicates receipt of: X Patent Matter Trademark Matter
Application Docket No.: *48924-1050*
Application No.: 10/697,418
Filing Date: October 30, 2003
Title: METHOD AND APPARATUS FOR ADJUSTING AN ACTIVE FILTER

Express Mail Label EV 701537259 US dated September *29*, 2005

1. Part B Fee(s) Transmittal (in duplicate)
2. Return Receipt Postcard



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

34013 7590 09/13/2005

HOLME ROBERTS & OWEN, LLP
299 SOUTH MAIN
SUITE 1800
SALT LAKE CITY, UT 84111

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,418	10/30/2003	Christian Fleischhacker	48924-01050	7218

TITLE OF INVENTION: METHOD AND APPARATUS FOR ADJUSTING AN ACTIVE FILTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	12/13/2005

EXAMINER	ART UNIT	CLASS- SUBCLASS
NGUYEN, MINH T	2816	327-554000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363):

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Holmes Roberts & Owen LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Infineon Technologies AG

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Muenchen, Fed Rep Germany

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-2665 (enclose an extra copy of this form).

5. Change In Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature 

Date September 29, 2005

Typed or printed name

David O. Seeley

Registration No. 30,148

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Christian Fleischhacker, et al.)
Serial No.: 10/697,418) Art Unit
Filed: October 30, 2003) 2816
For: METHOD AND APPARATUS FOR)
ADJUSTING AN ACTIVE FILTER)
Examiner: Minh T. Nguyen)

CERTIFICATE OF EXPRESS MAIL

MS: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the below listed documents are being deposited with the United States Postal Service, Express Mail EV 701537259 US under 37 CFR 1.10 in an envelope addressed to: Mail Stop: Issue Fee, The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Part B Fee(s) Transmittal (in duplicate)
2. Return Receipt Postcard

Dated this 29th day of September, 2005.

Michelle Stephens
Michelle Stephens
Legal Secretary
HOLME ROBERTS & OWEN LLP
299 South Main, Suite 1800
Salt Lake City, UT 84111
801-521-5800